

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appellant	Walter Jones
Application No. 10/767,131	Filing Date: January 29, 2004
Title of Application:	Tablecloth Covering And Method of Covering And Skirting A Table
Confirmation No. 4367	Art Unit: 3637
Examiner	Jose V. Chen

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Second Substitute Appeal Brief Under 37 CFR §41.37

Dear Sir:

A Notice of Appeal from the final rejection of Claims 1, 4-6, 9, 10 and 13-33, all pending claims of U.S. Patent Application No. 10/767,131, having been previously filed on January 15, 2009, Appellant accordingly files its Appeal Brief in connection with its appeal. A Claims Appendix is submitted herewith, as are Appendices related to evidence previously submitted and decisions related to the case.

(i) Real Party In Interest

The real party in interest is SMT Solutions, Inc. of Westwood, NJ, assignee of the present patent application.

(ii) Related Appeals and Interferences

A Notice of Appeal and an Appeal Brief were filed on April 9, 2009 in connection with U.S. Patent Application No. 11/951,786. U.S. Patent Application No. 11/951,786 is a continuation of U.S. Patent Application No. 11/609,369, which is a continuation of U.S. Patent Application No. 11/074,091, which is a continuation-in-part of the application being appealed herein. As of the filing hereof, no decisions have been issued in connection with the related appeal.

(iii) Status Of Claims

Claims 2, 3, 7, 8, 11 and 12 have been cancelled. Claims 1, 4-6, 9, 10 and 13-33 stand rejected and are the subject of the instant Appeal. A copy of each of these claims is attached hereto in the Claims Appendix.

(iv) Status Of Amendments

A Final Office Action including a final rejection was mailed on June 30, 2008. In response thereto, a Request for Continued Examination (RCE), along with a Response

containing amendments was filed by Appellant on September 23, 2008. A non-final Office Action entering the Appellant's amendments was mailed on October 15, 2008. No amendments have been made since mailing of the Office Action on October 15, 2008.

(v) Summary Of Claimed Subject Matter

Claims 1, 13, 14, 20, 23, 24, 32 and 33 are the rejected independent claims and are discussed below.

Independent Claim 1

Claim 1 is directed to a table cover (50) for covering a tabletop (60) of pre-determined size and having a top surface and a plurality of sides, the table cover (50) including a top cover (A) formed of a polymeric film for covering the top surface of the tabletop (60), the top cover (A) having a generally polygonal contour with a plurality of sides at its outer periphery thereof. *See, e.g.,* Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. The table cover (50) also includes a plurality of side drops (B) formed of the polymeric film, each extending outwardly from a respective one of the sides of the top cover (A) and being folded generally orthogonal to the top cover (A) to extend downwardly to a free edge. *See, e.g.,* Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. A plurality of pre-fitted corners (52) are each defined by two adjacent side drops (B) permanently joined together along abutting ends thereof to cause the polymeric film to

be fitted about the plurality of sides of the tabletop (60) and hold the table cover (50) on the tabletop (60). *See, e.g.*, Spec. page 10, line 3 – page 11, line 3; Figs. 4A-6.

The free edges of the plurality of side drops (B) and the plurality of pre-fitted corners (52) together define a generally polygonal contour having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal contour of the top cover (A). *See, e.g.*, Spec. page 10, lines 3-7; page 11, lines 15-27; Figs 4D and 5. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. *See, e.g.*, Spec. page 10, line 26 – page 11, line 3; Fig. 5.

Independent Claim 13

Claim 13 is directed to a table cover (50) for covering a tradeshow table (60) of pre-determined size and having a top surface and a plurality of sides and a lip extending downwardly from the sides defining a thickness of the table, the table cover (50) including a top cover (A) formed of a polymeric film for covering the top surface of the tradeshow table (60), the top cover (A) including a plurality of sides at its outer periphery thereof. *See, e.g.*, Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. The table cover also includes a plurality of side drops (B) formed of the polymeric film, each of the side drops (B) extending outwards from the respective one of the sides of the top cover, each being folded generally orthogonal to the top cover to extend downwardly alongside the lip to a free edge. *See, e.g.*, Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. A

plurality of pre-fitted corners (52) are each defined by two adjacent side drops (B) permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the sides and lip of the table (60), and hold the table cover (50) on the table (60). *See, e.g.*, Spec. page 10, line 3 – page 11, line 3; Figs. 4A-6.

The free edges of the plurality of side drops (B) and the plurality of pre-fitted corners (52) together define an outer periphery having a shape and dimensions substantially identical to a shape and dimensions of the outer periphery of the top cover (A). *See, e.g.*, Spec. page 10, lines 3-7; page 11, lines 15-27; Figs 4D and 5. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. *See, e.g.*, Spec. page 10, line 26 – page 11, line 3; Fig. 5.

Independent Claim 14

Claim 14 is directed to a covered table (60) for use in a trade show, including a tabletop of pre-determined size and having a top surface and a plurality of sides, and a table cover (50) for covering the tabletop, the table cover formed of a polymeric film and including a top cover (A) having a generally polygonal periphery with a plurality of sides. *See, e.g.*, Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. The table cover (50) also includes a plurality of side drops (B), each extending outwardly from a respective one of the sides of the top cover (A) and being folded generally orthogonal to the top cover (A)

to extend downwardly to a free edge. See, e.g., Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. A plurality of pre-fitted corners (52) are each defined by two adjacent side drops (B) permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the sides of the tabletop and to hold the table cover (50) on the tabletop. See, e.g., Spec. page 10, line 3 – page 11, line 3; Figs. 4A-6.

The free edges of the plurality of side drops (B) and the plurality of pre-fitted corners (52) together define a generally polygonal periphery having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal periphery of the top cover (A). See, e.g., Spec. page 10, lines 3-7; page 11, lines 15-27; Figs 4D and 5. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. See, e.g., Spec. page 10, line 26 – page 11, line 3; Fig. 5.

Independent Claim 20

Claim 20 is directed to a method of making a table cover (50) for covering a tabletop (60) of pre-determined size and having a top surface and a plurality of sides, the method including the step of providing a top cover (A) formed of a polymeric film for covering the top surface of the tabletop (60), the top cover (50) having a plurality of sides at its outer periphery and a plurality of side drops (B), each extending outwardly from a respective one of the sides of the top cover (A). See, e.g., Spec. page 8, line 5 –

page 9, line 3; Figs. 4A-6. Each of the plurality of sides (B) is folded generally orthogonal to the top cover (A) to extend downwardly to a free edge, and each two adjacent side drops (B) are joined together permanently along abutting ends thereof to form a plurality of pre-fitted corners (52) to cause the polymeric film to be fitted about the plurality of sides of the tabletop (60) and hold the table cover (50) on the tabletop (60). *See, e.g.*, Spec. page 10, line 3 – page 11, line 3; Figs. 4A-6.

The free edges of the plurality of side drops (B) and the plurality of pre-fitted corners (52) together define an outer periphery having a shape and dimensions substantially identical to a shape and dimensions of the outer periphery of the top cover (A). *See, e.g.*, Spec. page 10, lines 3-7; page 11, lines 15-27; Figs 4D and 5. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. *See, e.g.*, Spec. page 10, line 26 – page 11, line 3; Fig. 5.

Independent Claim 23

Claim 23 is directed to a method of placing a table cover (50) over a tabletop (60) of predetermined size and having a top surface and a plurality of sides including the step of providing a table cover 50 formed of a polymeric film and having a top cover (A) for covering the top surface of the tabletop, the top cover having a generally polygonal contour with a plurality of sides at its outer periphery thereof, a plurality of side drops

(B), each extending outwardly from a respective one of the sides of the top cover (A) and being folded generally orthogonal to the top cover (A) to extend downwardly to a free edge, and a plurality of pre-fitted corners (52), each corner (52) defined by two adjacent side drops (B) permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the plurality of sides of the tabletop (60) and hold the table cover (50) on the tabletop (60). *See, e.g.,* Spec. page 8, line 5 – page 9, line 3; page 10, line 3 – page 11, line 3; Figs. 4A-6. The free edges of the plurality of side drops (B) and the plurality of pre-fitted corners (52) together define a generally polygonal contour having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal contour of the top cover (A). *See, e.g.,* Spec. page 10, lines 3-7; page 11, lines 15-27; Figs 4D and 5. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. *See, e.g.,* Spec. page 10, line 26 – page 11, line 3; Fig. 5.

The method also includes the steps of: fitting at least two of the pre-fitted corners (52) of the table cover (50) onto corresponding corners of the tabletop (60); pulling and extending the table cover (50) across over opposite corners of the tabletop (60); and fitting the rest of the pre-fitted corners (52) of the table cover (50) onto corresponding corners of the tabletop (60) such that the trade show table is covered and ready for use. *See, e.g.,* Spec. page 11, lines 15-27; Figs. 4A-4D.

Independent Claim 24

Claim 24 is directed to a method of covering trade show tables each with a tabletop (60) of predetermined size and having a top surface and a plurality of sides, the method including the step of providing at least one table cover (50) formed of a polymeric film and having a top cover (A) for covering the top surface of the tabletop (60), the top cover (A) having a generally polygonal contour with a plurality of sides at its outer periphery thereof, a plurality of side drops (B), each extending outwardly from a respective one of the sides of the top cover (A) and being folded generally orthogonal to the top cover (A) to extend downwardly to form a free edge, and a plurality of pre-formed corners (52), each corner (52) defined by two adjacent side drops (B) permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the plurality of sides of the tabletop (60) and hold the table cover (50) on the tabletop (60). See, e.g., Spec. page 8, line 5 – page 9, line 3; page 10, line 3 – page 11, line 3; Figs. 4A-6. The free edges of the plurality of side drops (B) and the plurality of pre-fitted corners (52) together define a generally polygonal contour having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal contour of the top cover (A). See, e.g., Spec. page 10, lines 3-7; page 11, lines 15-27; Figs 4D and 5. The table cover (50) is monolithic and consists

essentially of a single piece of thin vinyl. *See, e.g.,* Spec. page 10, line 26 – page 11, line 3; Fig. 5.

The method also includes the steps of: fitting at least two of the pre-fitted corners (52) of the table cover (50) onto corresponding corners of the tabletop (60); pulling and extending the table cover (50) across over opposite corners of the tabletop (60); and fitting the rest of the pre-fitted corners (52) of the table cover (50) onto corresponding corners of the tabletop (60) to hold the table cover (50) on the trade show table. *See, e.g.,* Spec. page 11, lines 15-27; Figs. 4A-4D.

The method further includes the steps of: providing at least one skirt (70), each formed of a fabric material and dimensioned to cover side areas of the respective table; and attaching the skirt (70) around the tabletop (60) on top of the fitted sides of the table cover (50) of each respective trade show table. *See, e.g.,* Spec. page 11, line 28 – page 12, line 22; Fig 11.

Independent Claim 32

Claim 32 is directed to a table cover (50) for covering a generally rectangular table of pre-determined size including a top cover (A) formed from a polymeric film having four edges defining a length and a width. *See, e.g.,* Spec. page 8, line 5 – page

9, line 3; Figs. 4A-6. The table cover (50) also includes four sides (B) formed from the polymeric film, each extending outwardly from a respective one of the edges of the top cover (A) and bent down at an angle of about 90° from the top cover (A) such that the four sides (B) together define a length and a width that is substantially the same as the length and the width of the top cover (A), and each of the four sides (B) having a free edge opposite to a respective edge of the top cover (A) and two edges orthogonal to the top surface (A). *See, e.g.*, Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. *See, e.g.*, Spec. page 10, line 26 – page 11, line 3; Fig. 5.

Independent Claim 33

Claim 33 is directed to a table cover (50) for covering a generally polygonal table of pre-determined size including a top cover (A) formed from a polymeric film having edges defining a periphery having a shape and a size. *See, e.g.*, Spec. page 8, line 5 – page 9, line 3; Figs. 4A-6. The table cover (50) also includes a plurality of sides (B) formed from the polymeric film, each extending outwardly from a respective one of the edges of the top cover (A) and bent down at an angle of about 90° from the top cover (A) such that the plurality of sides (B) together define a shape and a size that is substantially the same as the shape and the size of the periphery of the top cover (A), and each of the plurality of sides (B) having a free edge opposite to a respective edge of the top cover (A) and two edges orthogonal to the top surface. *See, e.g.*, Spec. page 8,

line 5 – page 9, line 3; Figs. 4A-6. The table cover (50) is monolithic and consists essentially of a single piece of thin vinyl. *See, e.g.*, Spec. page 10, line 26 – page 11, line 3; Fig. 5.

(vi) Grounds Of Rejection To Be Reviewed On Appeal

Claims 1, 4-6, 9, 10 and 13-33 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Bergsbaken (U.S. Patent No. 5,452,729) in view of Ruben (U.S. Patent No. 4,095,300).

(vii) Argument

Rejection Over Bergsbaken in view of Ruben

The present invention is directed to a fitted table covering that may conveniently and quickly be affixed to a table and to provide an appealing visual presentation that does not require the use of installation tools and that will not damage the table. To this end, all claims require a table cover having a top cover formed of a polymeric film, a plurality of side drops formed of the polymeric film, each extending outwardly from a respective one of the sides of the top cover and being folded generally orthogonal to the top cover to extend downwardly to a free edge, the free edges of the plurality of side drops and the plurality of pre-fitted corners together define a periphery or contour having a shape and dimensions *substantially identical* to a shape and dimensions of the

periphery or contour of the top cover. Further, all independent claims have been previously amended to require that the table cover is monolithic and *consists essentially of a single piece of thin vinyl*. Appellant respectfully submits that at least the above highlighted limitations are not disclosed, taught or suggested by the cited prior art, either when taken alone or when properly combined.

Bergsbaken et al. is directed to a surgical drape, and improved assembly techniques for making the same, which are particularly designed and configured for use with T-shaped and L-shaped operating room tables. More specifically, Bergsbaken et al. is concerned with providing a gusset assembly for use in the internal corners of such T-shaped and L-shaped tables, there being two interior corners on T-shaped tables and one interior corner on L-shaped tables. Ruben is directed to a method of constructing the fitted corners of a bedcover involving a particular stitching configuration.

Appellant points out that all claims require, among other elements, that the free edges of the plurality of side drops define a periphery or contour having a shape and dimensions substantially identical to a shape and dimensions of the periphery or contour of the top cover. Moreover, as mentioned above, all existing independent claims have been amended to require, and both newly added claims require, that the table cover is monolithic and consists essentially of a single piece of thin vinyl.

Appellant respectfully submits that the hypothetical device resulting from the combination suggested by the Examiner would not satisfy these limitation.

It is well settled that if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purpose, then the proposed modification would not be obvious. *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). In the present case, if the Bergsbaken et al. surgical drape was modified such that the free edges of the side drops defined a periphery or contour having a shape and dimensions *substantially identical* to a shape and dimensions of the periphery or contour of the top cover, the Bergsbaken et al. invention would also no longer satisfactorily function for its intended purpose. Similarly, if the Bergsbaken et al. surgical drape were modified to be monolithic and consist essentially of a single piece of thin vinyl, there would be no gussets and again, the Bergsbaken et al. invention would also no longer satisfactorily function for its intended purpose.

With respect to the exterior corners of the Bergsbaken et al. surgical drape, there being six on T-shaped tables and five on L-shaped tables, these corners are and must be freely draping, not helping to define a shape and dimensions *substantially identical* to a shape and dimensions of the periphery or contour of the top cover. This is true because the surgical drape of Bergsbaken et al. is draped over a patient reclining on a

T-shaped or L-shaped operating room table. As such, and because every patient is different in size, the exterior corners of Bergsbaken et al. could not possibly help to define a shape and dimensions *substantially identical to* a shape and dimensions of the periphery or contour of the top cover, or the surgical drape could not accommodate patients of varying size. Therefore, it would not have been obvious to have replaced the exterior corners of the Bergsbaken et al. surgical drape with the stitched corners of the Ruben bedcover.

Stated another way, if the free edges of the side drops defined a periphery or contour having a shape and dimensions *substantially identical to* a shape and dimensions of the periphery or contour of the top cover, the result would be a tight-fitting table cover, and no longer a surgical drape. As such, *no patient at all* would fit under the pre-fitted cover.

With respect to the interior corners of the Bergsbaken et al. surgical drape, there being two on T-shaped tables and one on L-shaped tables, it is critical in the invention of Bergsbaken et al. that these corners be “slit” and that a piece of material (i.e., a gusset) be attached between the slit edges 44, 46 in order for the surgical drape to drape properly over a patient reclining on a T-shaped or L-shaped table. This can be clearly envisioned by examining Figure 7 of Bergsbaken et al., wherein it can be clearly

seen that if the stitched corner of Ruben were used instead of the gusset (i.e., if slit edges 44, 46 were stitched to one another), there would be significant bunching at the interior corner, and the Bergsbaken et al. surgical drape would no longer function as intended. In fact, the gusset of material disposed between the slit edges 44, 46 of the surgical drape is the very crux of the invention disclosed in Bergsbaken et al., and if the slit edges were merely stitched together, there would be no reason to create the slit in the first place. Therefore, it would not have been obvious to have replaced the interior corners of the Bergsbaken et al. surgical drape with the stitched corners of the Ruben bedcover. And even if such were done, the resulting cover would not be one that is *monolithic and consists essentially of a single piece of thin vinyl*.

In the outstanding Office Action, the Examiner has stated that "it is unclear how the expression 'where the free edges of the plurality of side drops together define a generally polygonal contour having a shape and dimension substantially identical to a shape and dimensions of the generally polygonal contour of the top cover' define structure other than that of the references used and therefore the preceding rejections are again made." Appellant respectfully submits that it is this limitation which causes the table cover to have a box-like configuration (i.e., where the side drops extend straight downwardly from the top cover, like an up-side-down box with no lid), and consequently what allows the table cover to grip or "hug" the table and hold the table

cover thereon. This is extremely different than both cited references, where the “free edges” of the “side drops” define a periphery that is significantly larger than the periphery of the top cover, in which case the table cover loosely drapes over the tabletop, rather than gripping it as does the table cover of the present invention. (See, e.g., Figure 7 of Bergsbaken et al. and Figure 5 of Ruben. This is also much different than the numerous prior art references that disclose “fitted sheet” type table covers that wrap around and under the tabletop.

Conclusion

For the foregoing reasons, Appellant respectfully submits that the invention embodied in each of claims 1, 4-6, 9, 10 and 13-33 is patentable over the cited prior art. As such, Appellant respectfully requests that the rejections of each of claims 1, 4-6, 9, 10 and 13-33 be reversed and the Examiner be directed to issue a Notice of Allowance allowing each of these claims.

Respectfully submitted,

October 1, 2009

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**Claims Appendix
to Appeal Brief Under 37 CFR §41.37
Serial No. 10/767,131**

1. A table cover for covering a tabletop of pre-determined size and having a top surface and a plurality of sides, the table cover comprising:

a top cover formed of a polymeric film for covering the top surface of the tabletop, the top cover having a generally polygonal contour with a plurality of sides at its outer periphery thereof;

a plurality of side drops formed of the polymeric film, each extending outwardly from a respective one of the sides of the top cover and being folded generally orthogonal to the top cover to extend downwardly to a free edge;

a plurality of pre-fitted corners, each corner defined by two adjacent side drops permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the plurality of sides of the tabletop and hold the table cover on the tabletop;

wherein the free edges of the plurality of side drops and the plurality of pre-fitted corners together define a generally polygonal contour having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal contour of the top cover; and

wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl.

2. (cancelled)

3. (cancelled)

4. The table cover of claim 1, wherein the two adjacent sides drops are joined by binding agents.

5. The table cover of claim 1, wherein the two adjacent sides drops are joined by sewing or application of heat.

6. The table cover of claim 1, wherein the table cover is a trade show tablecloth.

7. (cancelled)

8. (cancelled)

9. The table cover of claim 1, wherein the tabletop of predetermined size has a width of about 24 inches and a length selected from the group consisting of about 4 feet, about 6 feet and about 8 feet.

10. The table cover of claim 1, wherein the tabletop has a lip extending downwardly from the sides to define a thickness of the tabletop.

11. (cancelled)

12. (cancelled)

13. A table cover for covering a tradeshow table of pre-determined size and having a top surface and a plurality of sides and a lip extending downwardly from the sides defining a thickness of the table, the table cover comprising:

a top cover formed of a polymeric film for covering the top surface of the tradeshow table, the top cover including a plurality of sides at its outer periphery thereof;

a plurality of side drops formed of the polymeric film, each of the side drops extending outwards from the respective one of the sides of the top cover, each being folded generally orthogonal to the top cover to extend downwardly alongside the lip to a free edge;

a plurality of pre-fitted corners, each corner defined by two adjacent side drops permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the sides and lip of the table, and hold the table cover on the table;

wherein the free edges of the plurality of side drops and the plurality of pre-fitted corners together define an outer periphery having a shape and dimensions substantially identical to a shape and dimensions of the outer periphery of the top cover; and

wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl.

14. A covered table for use in a trade show comprising:

a tabletop of pre-determined size and having a top surface and a plurality of sides; and

a table cover for covering the tabletop, the table cover formed of a polymeric film and comprising:

a top cover having a generally polygonal periphery with a plurality of sides;

a plurality of side drops, each extending outwardly from a respective one of the sides of the top cover and being folded generally orthogonal to the top cover to extend downwardly to a free edge,

a plurality of pre-fitted corners, each corner defined by two adjacent side drops permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the sides of the tabletop and to hold the table cover on the tabletop;

wherein the free edges of the plurality of side drops and the plurality of pre-fitted corners together define a generally polygonal periphery having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal periphery of the top cover; and

wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl.

15. The table of claim 14 further including a skirt attached around the sides of the tabletop on top of the fitted sides of the table cover.

16. The table of claim 15, wherein the skirt is formed of fabric.

17. The table of claim 16, wherein the skirt is attached to the sides of the tabletop by a plurality of staples, tacks, or pins.

18. The table of claim 17, wherein the fabric skirt includes a reinforced band portion at an upper area thereof, and the skirt is attached to the tabletop by a plurality of staples, tacks, or pins applied at the reinforced band portion.

19. The table of claim 15, wherein the table cover is removable and disposable.

20. A method of making a table cover for covering a tabletop of pre-determined size and having a top surface and a plurality of sides, comprising:

providing a top cover formed of a polymeric film for covering the top surface of the tabletop, the top cover having a plurality of sides at its outer periphery and a plurality of side drops, each extending outwardly from a respective one of the sides of the top cover;

folding each of the plurality of sides generally orthogonal to the top cover to extend downwardly to a free edge;

joining together each two adjacent side drops permanently along abutting ends thereof to form a plurality of pre-fitted corners to cause polymeric film to be fitted about the plurality of sides of the tabletop and hold the table cover on the tabletop;

wherein the free edges of the plurality of side drops and the plurality of pre-fitted corners together define an outer periphery having a shape and dimensions substantially identical to a shape and dimensions of the outer periphery of the top cover; and

wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl.

21. The method of claim 20 further comprising the step of applying binding agents to each of the two adjacent side drops joined together in forming the pre-fitted corners.

22. The method of claim 20, further comprising the step of sewing together each of the two adjacent side drops joined together in forming the pre-fitted corners.

23. A method of placing a table cover over a tabletop of predetermined size and having a top surface and a plurality of sides, comprising:

providing a table cover formed of a polymeric film and having a top cover for covering the top surface of the tabletop, the top cover having a generally polygonal contour with a plurality of sides at its outer periphery thereof, a plurality of side drops, each extending outwardly from a respective one of the sides of the top cover and being folded generally orthogonal to the top cover to extend downwardly to a free edge, and a

plurality of pre-fitted corners, each corner defined by two adjacent side drops permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the plurality of sides of the tabletop and hold the table cover on the tabletop, wherein the free edges of the plurality of side drops and the plurality of pre-fitted corners together define a generally polygonal contour having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal contour of the top cover, and wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl;

fitting at least two of the pre-fitted corners of the table cover onto corresponding corners of the tabletop;

pulling and extending the table cover across over opposite corners of the tabletop; and

fitting the rest of the pre-fitted corners of the table cover onto corresponding corners of the tabletop such that the trade show table is covered and ready for use.

24. A method of covering trade show tables each with a tabletop of predetermined size and having a top surface and a plurality of sides, the method comprising:

providing at least one table cover formed of a polymeric film and having a top cover for covering the top surface of the tabletop, the top cover having a generally polygonal contour with a plurality of sides at its outer periphery thereof, a plurality of side drops, each extending outwardly from a respective one of the sides of the top cover and being folded generally orthogonal to the top cover to extend downwardly to form a free edge, and a plurality of pre-formed corners, each corner defined by two adjacent side drops permanently joined together along abutting ends thereof to cause the polymeric film to be fitted about the plurality of sides of the tabletop and hold the table cover on the tabletop, wherein the free edges of the plurality of side drops and the plurality of pre-fitted corners together define a generally polygonal contour having a shape and dimensions substantially identical to a shape and dimensions of the generally polygonal contour of the top cover, and wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl;

fitting at least two of the pre-fitted corners of the table cover onto corresponding corners of the tabletop;

pulling and extending the table cover across over opposite corners of the tabletop;

fitting the rest of the pre-fitted corners of the table cover onto corresponding corners of the tabletop to hold the table cover on the trade show table;

providing at least one skirt, each formed of a fabric material and dimensioned to cover side areas of the respective table; and

attaching the skirt around the tabletop on top of the fitted sides of the table cover of each respective trade show table.

25. The method of claim 24, wherein the attaching of the skirt is performed by applying a plurality of staples, tacks, or pins along the sides of the tabletop.

26. The method of claim 25 further comprising the steps of:
detaching the fabric skirt and the plurality of staples, tacks, or pins attached to the fabric skirt;

removing the fitted table cover from the tabletop; and
disposing of the table cover.

27. The method of claim 26 further comprising the step of applying a new table cover to each of the trade show tables.

28. The table cover of claim 10, wherein the thickness is about 2½ inches.

29. The method of claim 20, further comprising the step of applying heat to each of the two adjacent side drops joined together in forming the pre-fitted corners.

30. The method of claim 23, further comprising the step of removing and disposing of the table cover after use.

31. The method of claim 24, further comprising the steps of:
removing and disposing of the table cover after use; and
placing a new table cover on the table top.

32. A table cover for covering a generally rectangular table of pre-determined size comprising:

a top cover formed from a polymeric film having four edges defining a length and a width;

four sides formed from the polymeric film, each extending outwardly from a respective one of the edges of the top cover and bent down at an angle of about 90° from the top cover such that the four sides together define a length and a width that is substantially the same as the length and the width of the top cover, and each of the four sides having a free edge opposite to a respective edge of the top cover and two edges orthogonal to the top surface; and

wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl.

33. A table cover for covering a generally polygonal table of pre-determined size comprising:

a top cover formed from a polymeric film having edges defining a periphery having a shape and a size;

a plurality of sides formed from the polymeric film, each extending outwardly from a respective one of the edges of the top cover and bent down at an angle of about 90° from the top cover such that the plurality of sides together define a shape and a size that is substantially the same as the shape and the size of the periphery of the top cover, and each of the plurality of sides having a free edge opposite to a respective edge of the top cover and two edges orthogonal to the top surface; and

wherein the table cover is monolithic and consists essentially of a single piece of thin vinyl.

**Evidence Appendix
to Appeal Brief Under 37 CFR §41.37
Serial No. 10/767,131**

None.

**Related Proceedings Appendix
to Appeal Brief Under 37 CFR §41.37
Serial No. 10/767,131**

None.